

## Message Text

UNCLASSIFIED

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ACTION XMB-07

INFO OCT-01 ARA-16 ISO-00 L-03 AID-20 CIAE-00 COME-00

EB-11 FRB-03 INR-11 NSAE-00 RSC-01 TRSE-00 OPIC-12

SP-03 CIEP-03 LAB-06 SIL-01 OMB-01 DRC-01 /100 W

----- 031220

R 262224Z SEP 74

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 2101

INFO AMEMBASSY BOGOTA

AMEMBASSY CARACAS

AMEMBASSY LA PAZ

AMEMBASSY QUITO

AMEMBASSY SANTIAGO

UNCLAS LIMA 8167

DEPARTMENT FOR EXIMBANK AND OPIC

E.O. 11652: N/A

TAGS: ECIN, EFIN, CO, VE, BL, EC, CI

SUBJECT: ANDEAN PACT: ART. 51 IN FOREIGN INVESTMENT CODE

REF: STATE 210152 (NOTAL)

1. LUIS GALVEZ, PRINCIPAL LEGAL EXPERT IN PERU'S ECONOMIC INTEGRATION OFFICE (ONIT) HAS ADVISED REGIONAL INTEGRATION OFFICER THAT ART. 51 DOES NOT APPLY TO DEBT INSTRUMENTS. HE DREW ATTENTION TO FACT THAT ART. 51 REFERRED SPECIFICALLY TO "INSTRUMENTS RELATED TO INVESTMENTS OR TO TRANSFER OF TECHNOLOGY" WHICH HE SAID WERE BY DEFINITION NOT DEBT INSTRUMENTS. FOR INTERPRETATION OF WHAT IS MEANT BY "INVESTMENTS", HE REFERRED TO DEFINITION IN ART. 1 IN FOREIGN INVESTMENT CODE.

2. EMBOFF DID NOT ASK GALVEZ SPECIFICALLY ABOUT EXIMBANK GUARANTEES TO PRIVATE COMMERCIAL BANKS NOR DID HE MENTIONED CUAJONE SINCE GALVEZ' STATEMENT WAS SO CLEAR-CUT AND UNCLASSIFIED

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DEFINITE THAT NO FURTHER QUERY SEEMED NECESSARY.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INVESTMENT LAW, BANK LOANS, ARTICLE 51  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 SEP 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974LIMA08167  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740272-0552  
**From:** LIMA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740912/aaaaajtz.tel  
**Line Count:** 62  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION XMB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 210152 (NOTAL)  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** martinjw  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 APR 2002 by maustmc>; APPROVED <04 FEB 2003 by martinjw>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ANDEAN PACT: ART. 51 IN FOREIGN INVESTMENT CODE  
**TAGS:** ECIN, EFIN, ETRD, CO, VE, BL, EC, CI, PE, ANDEAN PACT, XMB  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005